



# Public Notice

US Army Corps  
of Engineers  
Memphis District

200400041

REPLY TO ATTN: Tom Skelton  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-3468  
Fax (901) 544-3266  
E-Mail: James.T.Skelton@usace.army.mil  
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:  
TN-2004-41 (TS)  
REFERENCE NUMBER:  
200400041  
PUBLIC NOTICE DATE:  
February 10, 2004  
EXPIRATION DATE:  
March 11, 2004

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**Joint Public Notice  
Corps of Engineers  
and  
State of Tennessee**

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:** David Gribble  
Hearthstone Investments, LLC  
6745 Lenox Center Court  
Suite 100  
Memphis, Tennessee 38115  
(901) 761-3030

**AGENT:** Thomas Heineke  
Heineke & Associates, Inc.  
3014 Sycamore View Road  
Bartlett, Tennessee 38134-5962  
(901) 373-3289

**LOCATION:** The project is located west of Byhalia Road and south of Collierville Road in Collierville, Shelby County, Tennessee, at approximate latitude 35 -1 -23.9880 and longitude 089-41-44 on the Collierville 7.5 minute quadrangle map.

**PURPOSE:** The purpose of the project is to develop a residential subdivision.

**DESCRIPTION OF WORK:** The applicant proposes to develop the Woodgrove Planned Development, a 32- acre residential subdivision. The development will require the filling of 0.64 acres of wetlands. These wetlands are depressional areas dominated by sweet gum, green ash, and American elm. The shrubby understory consists of willow oak, sweet gum, green ash and American elm. The applicant proposes to mitigate for wetland losses by restoration of 1.92 acres of bottomland hardwoods off site. The mitigation is located south of the Loosahatchie River, near the northwest corner of Brunswick Road and Old Brownsville Road as indicated on the attached map.

**WATER QUALITY CERTIFICATION:** By copy of this public notice, the applicant is requesting water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. Commentors are requested to also furnish a copy of their comments to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC), at (615) 532-0713 or in writing at TDEC 7th Floor L. & C. Annex Building, 401 Church Street, Nashville, Tennessee 37243-1534. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity. The applicant is also encouraged to contact the offices of TDEC at the above telephone number or address for information on permit processing fees and TDEC's potential need for additional information not found in this notice. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.



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**ENDANGERED SPECIES:** No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

**CULTURAL RESOURCES:** The Memphis District is complying with the National Historic Preservation Act of 1966 and implementing regulations found in 36 CFR Part 800. The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area.

**FLOOD PLAIN:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** If you wish to obtain additional information or to submit comments on the application, please contact Tom Skelton at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3468. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

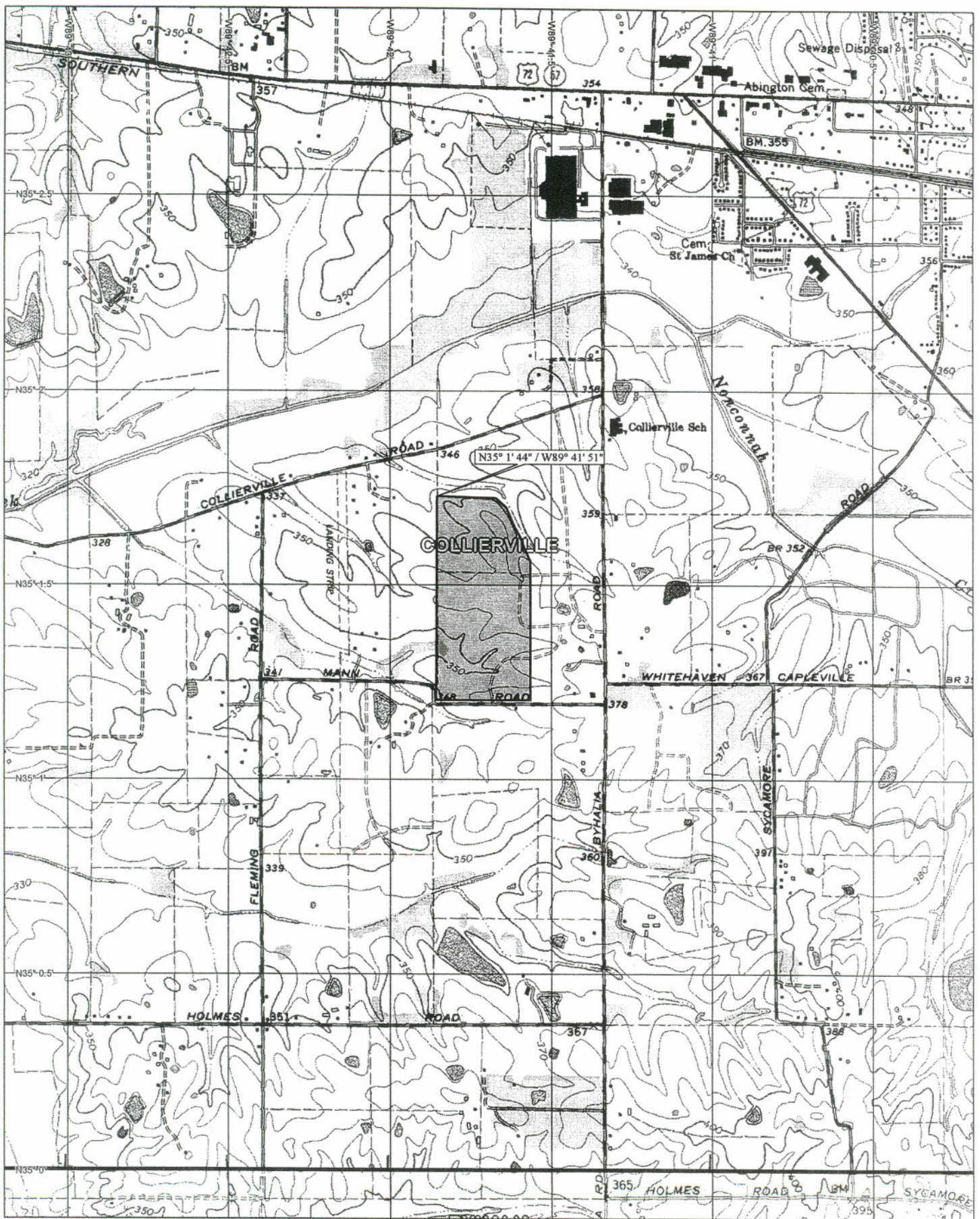
Comments should be received by March 11, 2004.



Larry D. Watson  
Chief  
Regulatory Branch

Attachments

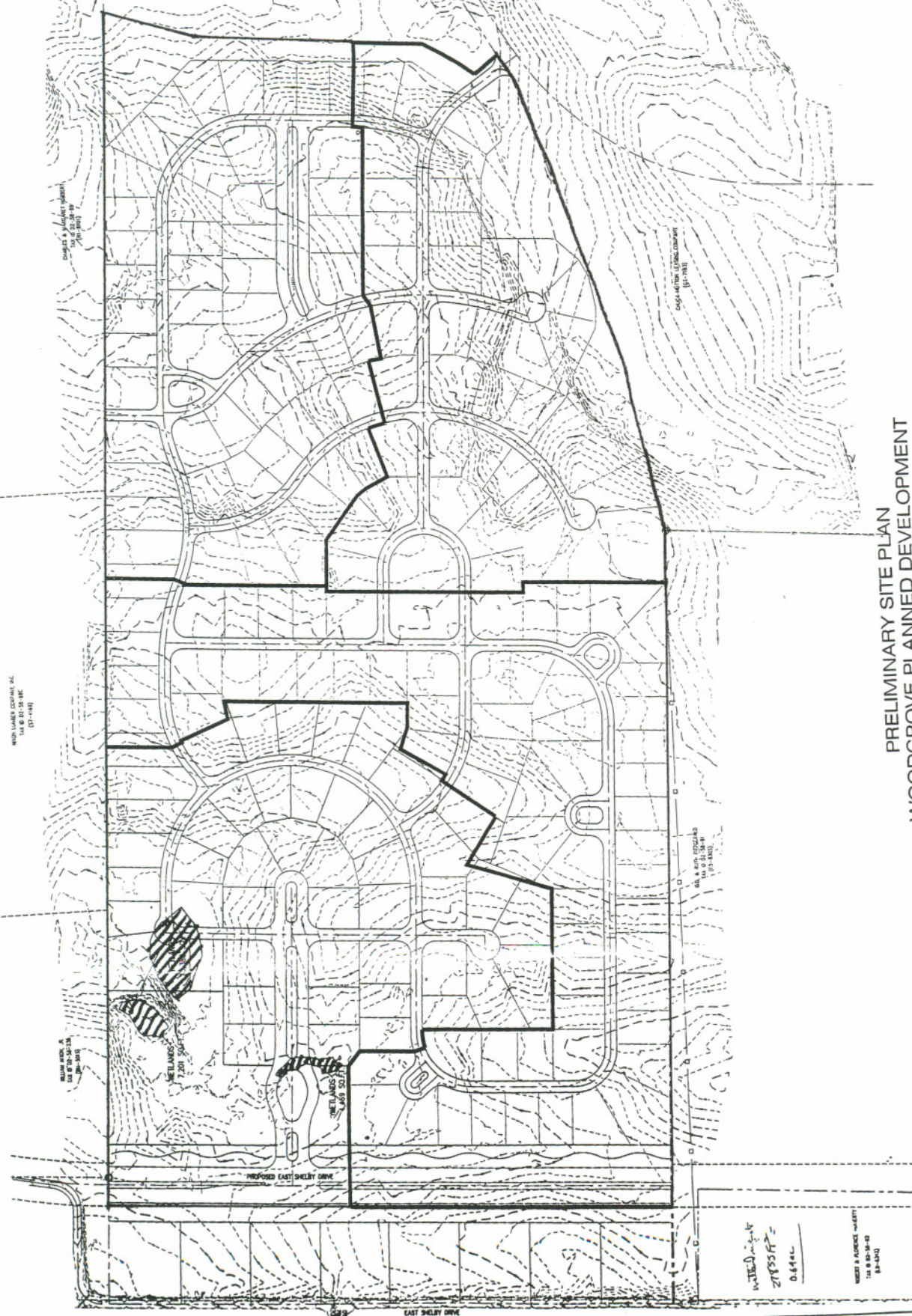




3-D TopoQuads Copyright © 1999 DeLorme Yarmouth, ME 04096 Source Data: USGS 950 ft Scale: 1 : 24,000 Detail: 13-1 Datum: WGS84

ATTACHMENT 1: LOCATION MAP





# PRELIMINARY SITE PLAN WOODGROVE PLANNED DEVELOPMENT PHASES I-IV COLUMBIA, TENNESSEE

## ATTACHMENT 2: SITE PLAN

**McGuire Engineering LL**  
1185 WILLOW BEND COVE COLLEENALE, TN 38018  
PHONE 901.834.3430 FAX 901.841.3418



